

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, MAY 6, 2009**

C-1 Call to Order / Roll Call

The City Council Closed Session meeting of May 6, 2009, was called to order by Mayor Hansen at 6:00 p.m.

Present: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Absent: None

Also Present: City Manager King, Deputy City Attorney Magdich, and City Clerk Johl

C-2 Announcement of Closed Session

- a) Conference with Dean Gualco, Human Resources Manager (Labor Negotiator), Regarding Unrepresented Executive Management, Lodi City Mid-Management Association, Unrepresented Confidential Employees, AFSCME General Services and Maintenance & Operators, Police Mid-Managers, Lodi Police Officers Association, Lodi Police Dispatchers Association, International Brotherhood of Electrical Workers, Fire Mid-Managers, and Lodi Professional Firefighters Pursuant to Government Code §54957.6
- b) Prospective Lease of a Portion of 218 West Pine Street, Lodi; the Negotiating Parties are the City of Lodi and Odd Fellows Hall Association of Lodi for Placement of Environmental Cleanup Equipment; Price and Terms are under Negotiation; Government Code §54956.8

C-3 Adjourn to Closed Session

At 6:00 p.m., Mayor Hansen adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:57 p.m.

C-4 Return to Open Session / Disclosure of Action

At 7:03 p.m., Mayor Hansen reconvened the City Council meeting, and Deputy City Attorney Magdich disclosed the following actions.

Item C-2 (a) was discussion only, and Item C-2 (b) was not discussed.

A. Call to Order / Roll call

The Regular City Council meeting of May 6, 2009, was called to order by Mayor Hansen at 7:03 p.m.

Present: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Absent: None

Also Present: City Manager King, Deputy City Attorney Magdich, and City Clerk Johl

B. Invocation - Pastor Matthew Duerr, Zion Reformed Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards - None

D-2 Proclamations

a) National Public Works Week (PW)

Mayor Hansen presented a proclamation to Charlie Swimley, Water Services Manager, proclaiming the week of May 17 – 23, 2009, as “National Public Works Week” in the City of Lodi.

b) Peace Officer Memorial Month (PD)

Mayor Hansen presented a proclamation to Scott Bratton, President of Lodi Police Officers Association; Lieutenant Steve Price; and members of the Lodi Police Honor Guard proclaiming the month of May 2009 as “Peace Officer Memorial Month” in the City of Lodi.

c) Zinfandel Month

Mayor Hansen presented a proclamation to Anna Goehring with the Lodi-Woodbridge Winegrape Commission proclaiming the month of May 2009 as “Zinfandel Month” in the City of Lodi and urging citizens to participate in the Lodi Zinfest on May 15 – 17, 2009, at Lodi Lake Park.

d) National Tourism Week

Mayor Hansen presented a proclamation to Nancy Beckman, President and CEO of the Lodi Conference & Visitors Bureau, proclaiming the week of May 9 – 17, 2009, as “National Tourism Week” in the City of Lodi.

e) National Salvation Army Week

Mayor Hansen presented a proclamation to Lt. Dan Williams with the Lodi Salvation Army proclaiming the week of May 11 – 17, 2009, as “Salvation Army Week” in the City of Lodi.

D-3 Presentations

a) Quarterly Update by the Greater Lodi Area Youth Commission (COM)

Josh Gums and Beau Benko, members of the Greater Lodi Area Youth Commission, gave an update on the Commission’s activities and accomplishments.

E. Consent Calendar (Reading; Comments by the Public; Council Action)

Council Member Mounce made a motion, second by Council Member Johnson, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

E-1 Receive Register of Claims in the Amount of \$9,425,340.27 (FIN)

Claims were approved in the amount of \$9,425,340.27.

E-2 Approve Minutes (CLK)

The minutes of April 14, 2009 (Shirtsleeve Session), April 15, 2009 (Regular Meeting), April 20, 2009 (Special Joint Meeting w/Arts Commission), April 21, 2009 (Shirtsleeve Session), April 21, 2009 (Special Meeting), and April 28, 2009 (Shirtsleeve Session) were approved as written.

E-3 Accept Quarterly Investment Report as Required by Government Code Section 53646 (CM)

Accepted the Quarterly Investment Report as required by Government Code Section 53646.

E-4 Approve Request for Proposals and Authorize Advertisement for Installation, Maintenance, and Monitoring of a Comprehensive Security System for Electric Substations (EUD)

Approved the request for proposals and authorized advertisement for installation, maintenance, and monitoring of a comprehensive security system for electric substations.

E-5 Approve Plans and Specifications and Authorize Advertisement for Bids for Central Plume Interim Remedial Measures Improvements Project (PW)

This item was pulled for further discussion by Council Member Hitchcock.

In response to Council Member Hitchcock, Public Works Director Wally Sandelin stated the amount collected for PCE/TCE was \$2.7 million, the proposed action includes construction of facilities that will extract groundwater and divert to other locations, the cost for construction of the facilities is approximately \$1 million, the bid for annual maintenance for five years is expected to be \$1 million per year, the projected costs and work are for Central Plume alone, the costs and work for other plumes is unknown at the current time, the project for June 30 is a little over \$10 million, the pilot scales for Guild Cleaners are currently in place, and the initial figure of \$48 million was a preliminary number based on estimates and not confirmed.

Council Member Hitchcock made a motion, second by Council Member Mounce, to approve plans and specifications and authorize advertisement for bids for Central Plume interim remedial measures improvements project.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

E-6 Approve Specifications and Authorize Advertisement for Bids for Replacement Electric Utility Bucket Truck (EUD)

Approved the specifications and authorized advertisement for bids for replacement Electric Utility bucket truck.

- E-7 Adopt Resolution Accepting Improvements under Contract for Municipal Service Center Transit Vehicle Maintenance Facility Project and Appropriating Additional Funds (\$150,217) and Receive Notification of Project Change Orders (PW)

Adopted Resolution No. 2009-47 accepting improvements under contract for Municipal Service Center Transit Vehicle Maintenance Facility Project and appropriating additional funds in the amount of \$150,217 and received notification of project change orders.

- E-8 Adopt Resolution Accepting Improvements under Contract for White Slough Water Pollution Control Facility Phase 3 Improvements Year 2007 Project and Appropriating Additional Funds (\$150,000) and Receive Notification of Project Change Orders (PW)

Adopted Resolution No. 2009-48 accepting improvements under contract for White Slough Water Pollution Control Facility Phase 3 Improvements Year 2007 Project and appropriating additional funds in the amount of \$150,000 and received notification of project change orders.

- E-9 Accept Improvements under Contract for Finance Department Relocation Project and Notification of Project Change Orders (PW)

This item was pulled for further discussion by Council Member Hitchcock.

In response to Council Member Hitchcock, Mr. King stated the single change order for approximately \$100,000 dealt with finding a relocation spot for the meter reader component of the Finance Department, for which an initial plan did not exist. Mr. King stated staff will bring back to Council for consideration at a future date a change order policy setting forth consistency and uniformity across departments.

Council Member Mounce commended Mr. King on the successful relocation of the Finance Department to the City-owned building and suggested rehabilitation of the building continue.

Council Member Hitchcock made a motion, second by Council Member Mounce, to accept improvements under contract for Finance Department relocation project and notification of project change orders.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

- E-10 Adopt Resolution Accepting Improvements at Interlake Square, Tract No. 3532 (PW)

Adopted Resolution No. 2009-49 accepting improvements at Interlake Square, Tract No. 3532.

- E-11 Adopt Resolution Awarding Professional Services Agreement for Ground Water Monitoring/Reporting Services to Stantec Consulting Corporation, of Rancho Cordova (\$88,109) and Appropriating Funds (PW)

Adopted Resolution No. 2009-50 awarding professional services agreement for ground water monitoring/reporting services to Stantec Consulting Corporation, of Rancho Cordova, in the amount of \$88,109 and appropriating funds.

- E-12 Adopt Resolution Authorizing the City Manager to Execute Professional Services

Agreement with Neil O. Anderson and Associates, of Lodi, for Preliminary Site Assessment for Lodi Avenue Reconstruction Project (\$63,340) and Appropriating Funds (PW)

Adopted Resolution No. 2009-51 authorizing the City Manager to execute professional services agreement with Neil O. Anderson and Associates, of Lodi, for preliminary site assessment for Lodi Avenue Reconstruction Project in the amount of \$63,340 and appropriating funds.

E-13 Adopt Resolution Authorizing the City Manager to Execute Lower San Joaquin River Feasibility Study Cost-Share Agreements to Assess 200-Year Flood Event Protection Requirements (PW)

Adopted Resolution No. 2009-52 authorizing the City Manager to execute Lower San Joaquin River Feasibility Study Cost-Share Agreements to assess 200-year flood event protection requirements.

E-14 Adopt Resolution Authorizing the City Manager to Execute Amendment to Cooperative Agreement with San Joaquin Council of Governments for East Lodi Avenue Improvement Project (PW)

Adopted Resolution No. 2009-53 authorizing the City Manager to execute amendment to cooperative agreement with San Joaquin Council of Governments for East Lodi Avenue Improvement Project.

E-15 Concur with the San Joaquin Council of Governments Amendment to the Measure K Expenditure Plan to Utilize the Remaining Measure K Programming Capacities between All Program Categories (CM)

Concurred with the San Joaquin Council of Governments amendment to the Measure K Expenditure Plan to utilize the remaining Measure K programming capacities between all program categories.

E-16 Adopt Resolution Increasing Fee for Returned Check Charges from \$25 to \$35 (CM)

Adopted Resolution No. 2009-54 increasing fee for returned check charges from \$25 to \$35.

E-17 Adopt Resolution Authorizing the City of Lodi's Participation in an Interlocal Agreement Regarding the Recovery Act: Justice Assistance Grant Program (PD)

Adopted Resolution No. 2009-55 authorizing the City of Lodi's participation in an interlocal agreement between the County of San Joaquin and the cities of Lodi, Stockton, Escalon, Manteca, Ripon, and Tracy regarding the Recovery Act: Justice Assistance Grant Program.

E-18 Set Public Hearing for May 20, 2009, to Extend Interim Ordinance No. 1822, an Uncodified Urgency Interim Ordinance to Establish a Moratorium on the Establishment and Operation of Medical Marijuana Dispensaries (CA)

Set public hearing for May 20, 2009, to extend interim Ordinance No. 1822, an uncodified urgency interim ordinance to establish a moratorium on the establishment and operation of medical marijuana dispensaries.

F. Comments by the Public on Non-Agenda Items
THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted.

Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

Vincent Sayles spoke regarding trampoline exercise and the health benefits associated with the same.

G. Comments by the City Council Members on Non-Agenda Items

Council Member Mounce requested staff research her concerns regarding toxins and the turf field installation at the Grape Bowl and encouraged citizens to participate in the "Walk for the Health of It" event on May 9, 2009.

Council Member Johnson requested information regarding the acceptance of a fire engine from the State of California and the costs associated with the same including non-payment for participation in Statewide activities.

Mayor Hansen commended the Harold Trumpets from Washington DC on a successful concert and thanked Bob Gross for the same. Mr. Hansen also reported on his attendance at the San Joaquin Council of Governments and Northern California Power Agency (NCPA) meetings. Topics of discussion at the meetings included approval of the 2009-10 budget, savings through broadbanding of departments whereby employees understand and perform each others tasks, the host dinner and meeting for NCPA on May 27 and May 28, meetings with Congressman McNerney regarding riverbank and Harney Lane funding requests, the widening of I-5, improvements for Highway 99 and the Stockton Port, and greenhouse gas emissions.

H. Comments by the City Manager on Non-Agenda Items

None.

I. Public Hearings

I-1 Public Hearing to Consider Resolution Approving Final 2009-14 Consolidated Plan, Citizen Participation Plan, and 2009-10 Action Plan for the Community Development Block Grant (CDBG) Program and the Allocation of Available 2008-09 CDBG-Rapid Funding (CD)

Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Hansen called for the public hearing to consider resolution approving Final 2009-14 Consolidated Plan, Citizen Participation Plan, and 2009-10 Action Plan for the Community Development Block Grant (CDBG) Program and the allocation of available 2008-09 CDBG-Rapid (CDBG-R) funding.

City Manager King briefly introduced the subject matter of the CDBG and CDBG-R allocations and recommendations.

Neighborhood Services Manager Joseph Wood provided a PowerPoint presentation regarding the CDBG consolidated plan and CDBG-R program. Specific topics of discussion included the entitlement process, required documents, 30-day public comment period on draft documents, 2009-10 action plan, no inquiries or comments received, estimated allocation of \$751,256, funding recommendations, CDBG-R funding, and recommended action through adoption of the

resolution approving the consolidated plan, citizen participation plan, action plan and allocation of CDBG-R funds.

In response to Mayor Hansen, Mr. Wood stated that, with respect to the Salvation Army need for roof replacement, staff anticipates there will be funding remaining from the 2008 projects closing out that could be reallocated for the project. Mr. Wood stated staff will have a better idea of the exact amount in July or August. In response to Mayor Hansen, Mr. Wood stated there is not another shovel ready community-based organization project for \$23,000, which is why the amount was added to the Lodi Community Center improvement project reducing the County match to a 52/48 split. Mr. Wood stated staff was originally expecting the allocation to be about 10% higher but that did not materialize.

In response to Council Member Mounce, Mr. Wood confirmed that the five-year action plan is a part of the requirement for an entitlement community, plans are being done in-house, staff will look into the exact cost for the consolidated plan, and outreach will be an ongoing activity throughout the community.

In response to Council Member Mounce, Mr. King stated he is confident that the City could find and expend in a timely manner the \$23,000 on a Public Works type project and funds on a social services project can be drawn down quickly.

Council Member Hitchcock made a motion, second by Council Member Mounce, to adopt Resolution No. 2009-56 approving Final 2009-14 Consolidated Plan, Citizen Participation Plan, and 2009-10 Action Plan for the Federal allocation of CDBG Program and the allocation of available 2008-09 CDBG-R funding through the Urban County, including a 50/50 split with the City and County for the Lodi Community Center Project.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

J. Communications

J-1 Claims Filed Against the City of Lodi - None

J-2 Appointments

a) Appointment to the Lodi Arts Commission: Sandi Walker-Tansley (CLK)

Mayor Hansen made a motion, second by Council Member Johnson, to make the following appointment:

Lodi Arts Commission

Sandi Walker-Tansley, term to expire July 1, 2012

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

b) Post for One Vacancy on the Greater Lodi Area Youth Commission (Adult Advisor) (CLK)

Council Member Mounce made a motion, second by Council Member Johnson, to direct the City Clerk to post for the following vacancy:

Greater Lodi Area Youth Commission (Adult Advisor)

Isaac Morales, term to expire May 31, 2011

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

J-3 Miscellaneous - None

K. Regular Calendar

K-1 Provide Direction with Regard to Specific Elements of the 2009-10 Budget Regarding Animal Shelter Staffing via People Assisting Lodi Shelter (PALS) Contract, Fire Inspection Services, and Conference and Visitors Bureau Funding Formula (CM)

City Manager King provided a PowerPoint presentation regarding the 2009-10 budget prerequisite issues. Specific topics of discussion included budget background, People Assisting the Lodi Shelter (PALS) contract, fire inspection services, Lodi Conference and Visitors Bureau funding formula, budget background, job market continued decline, negotiating a contract with PALS to operate front office at Animal Shelter, proposal to provide fire inspection services through community development building inspectors and organizational structures for both departments, proposed formula for 19% of Transient Occupancy Tax (TOT) collections, and recommendations for the same.

Police Chief David Main provided a brief presentation and discussed a partnership with PALS, ability to manage Animal Shelter to more than a clerical need which includes adoptions and paperwork requirements, sets stage for ongoing needs of the shelter, successful operations generally include partnerships with non-profits such as PALS, and financial and community benefits.

In response to Council Member Hitchcock, Mr. King stated liability will be transferred as is standard, any final contract will be brought back for Council approval, and currently there is not a full-time position assigned to the shelter with respect to the employees groups and concerns about contracting out services.

In response to Council Member Hitchcock, Deputy City Manager Jordan Ayers stated the current year revenue is approximately \$32,000. Mr. King stated the goal is to bring in line as close as possible the expenditures and revenues associated with the shelter although there may be a difference of approximately \$10,000.

Council Members Johnson and Hitchcock suggested there not be a cap on revenues, licensing be encouraged, and surplus aspects be written into the contract as necessary without other restrictions.

In response to Mayor Hansen, Chief Main stated contracting out the Animal Shelter services to

PALS will free up safety services for other areas better-suited and training appropriate.

In response to Council Member Mounce, Chief Main stated a full presentation will be made to the Animal Commission if the City Council decides to go in that direction.

In response to Mayor Hansen, Mr. King stated the funding will be reflected in the budget and the agreement will be brought to Council for consideration independent of the budget. Mayor Hansen suggested a start date of July 1 for the new arrangement.

Council Members Johnson and Hitchcock and Mayor Hansen suggested the PALS organization not be limited in its ability and efforts to secure pet licensing in the City.

Interim Community Development Director Rad Bartlam discussed the current building inspector positions, experience in other communities and services, and confidence that fire inspection tasks can be taken over by building inspectors.

In response to Council Member Hitchcock, Mr. King stated some sections of the Fire and Building Codes are very similar while others are unique. Fire Chief Mike Pretz and Mr. King discussed generally the duties of the fire inspector including post-construction tasks, sprinkler system checks, hazardous materials, exiting, fire lanes, signage, extinguishers, Fire Department access and lighting, fire alarm testing and checks, spray booth testing, occupancy loads, electrical rooms, box installations, and other mandated requirements.

In response to Council Member Hitchcock, Chief Pretz stated a large portion of the current duties are development related, although he does not have the exact numbers.

In response to Mayor Hansen, Chief Pretz stated the Fire Marshall and Fire Inspector are two separate people and there is a series of training and certification for fire inspections.

Mr. Bartlam stated the question is really where is the best place to house inspection services. Mr. King stated there are cities that have all types of models for these services.

In response to Council Member Mounce, Mr. Bartlam stated classes are offered routinely throughout the year and existing employees may already have some classes and are able to take the remaining for certification. Mr. King stated the effort is being made to avoid the duplication of services being offered by multiple departments.

In response to Council Member Johnson, Fire Division Chief Aimee Murray reviewed a list of services performed by the fire inspector position including sprinkler inspections, water pressure checks, hood inspections, and other new construction related checks.

In response to Council Member Hitchcock, Mr. King stated the fire inspector position would need to be kept vacant for at least two years and there is an opportunity for the Community Development Department to handle the development related inspections while the Fire Department retains the operational inspections.

In response to Council Member Katzakian, Chief Pretz stated there is currently one fire inspector and the relevant duties are performed by the person, the Fire Marshal and the Fire Chief.

In response to Council Member Mounce, Division Chief Murray stated she was aware of the two year service credit program and the need to keep the position open.

Alan Lucero spoke in favor of housing the development related inspection services in the Community Development Department based on the ongoing collaboration between fire inspectors

and building inspectors and the similar nature of the services provided.

Brad Doell, representing the Lodi Professional Firefighters group, stated the Fire Department understands the need for cost savings and the need to keep the position open and would like an opportunity to absorb the services into the department as opposed to sending it to Community Development.

Robin Rushing spoke in favor of keeping fire inspection services within the Fire Department based on the expertise of the department in providing such services.

The City Council, with the exception of Council Member Mounce, provided general comments and direction to explore the option of housing development related fire inspection services in the Community Development Department. A brief discussion also ensued regarding services such as weed abatement and annual and operational permits.

Nancy Beckman spoke in support of the staff recommendation to incorporate the 19% TOT formula in light of the tough fiscal times, stating the Visitors Bureau is comfortable with the agreement, although there is a difference of opinion with respect to the seed money terminology.

In response to Council Member Johnson, Mr. King confirmed that the agreement would be brought back to Council for review after the five-year period.

In response to Council Member Mounce, Mr. King confirmed that the 19% is equivalent to \$91,848 for the current year.

K-2 Adopt Resolution Approving DeBenedetti Park Modified Grading Design, Directing Preparation of Plans and Specifications for Phased Improvements, Authorizing the City Manager to Execute Contract Amendment for DeBenedetti Park Rough Grading Contract with A.M. Stephens Construction Company, Inc., of Lodi (\$163,000) and Appropriating Additional Funds (\$180,000) from Impact Mitigation Fees (PW)

City Manager King briefly introduced the subject matter of the DeBendetti Park project.

Public Works Director Wally Sandelin provided a brief presentation regarding the DeBendetti Park project. Mr. Sandelin specifically discussed the history of the project through the City Council and Parks and Recreation Commission, comparisons of project costs, plan adjustment benefits, and proposed site map for revised design.

In response to Council Member Hitchcock, Mr. Sandelin and Mr. Rodems stated the first phase is relevant to the basin area, the entire area is programmable space, it is not predetermined, there is no change in the park area, and specific programming diagrams will come back to the Council.

Ann Cerney spoke in regard to her concerns about funding, mitigation fees, development related fees, and contract extensions.

Recreation Commission Chair David Akin spoke in favor of the proposed action, stating the Commission unanimously approved the proposed project and urged the Council to move forward.

In response to Council Member Hitchcock, Mr. Akin stated the issue of the synthetic field did come before the Commission for consideration.

Mr. King stated the Park Impact Fund has money, the list of projects is very large, the \$3 million is available, Storm Drainage Fund also has funds available, the contract was originally approved in 2003 with a modest appropriation, and the extension will allow for improvements to be completed

throughout the Fall.

Council Member Mounce made a motion, second by Mayor Pro Tempore Katzakian, to adopt Resolution No. 2009-57 approving DeBenedetti Park modified grading design, directing preparation of plans and specifications for phased improvements, authorizing the City Manager to execute contract amendment for DeBenedetti Park rough grading contract with A.M. Stephens Construction Company, Inc., of Lodi, in the amount of \$163,000 and appropriating additional funds in the amount of \$180,000 from Impact Mitigation Fees.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

K-3 Discussion of Fees Paid for the Lodi Lake Boat House Project (CD)

City Manager King briefly introduced the subject matter of the Lodi Boat House fees. Interim Community Development Director Rad Bartlam provided an overview of the Lodi Boat House fee waiver discussion, stating the fees on the project were approximately \$2,600, the longstanding policy not to waive fees, and the difficulty associated with deciding what fees to waive if any in light of the worthiness of a variety of projects.

Council Member Johnson stated he requested the matter be brought forward in light of the considerable amount of time spent by volunteers, donations received for the project, and the overall gift to the City.

A brief discussion ensued among Council regarding the differences and similarities of other projects including those associated with the Library, People Assisting the Lodi Shelter, and the World of Wonders Science Museum.

Council Member Mounce stated the current situation is unique in light of the tie in with the Centennial Celebration for the City.

In response to Council Member Johnson, Mr. Bartlam stated the building function is a special revenue fund and is set to operate based on the revenues it brings in.

Council Member Mounce made a motion, second by Mayor Pro Tempore Katzakian, to waive the fees for the Lodi Boat House Project in light of the connection to the Centennial Celebration for the City and for future requests for waivers to be brought forward by the requestor and considered on a case-by-case basis.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

K-4 Farmers Market and General Events at Lodi Lake (PR)

City Manager King briefly introduced the subject matter of a potential Farmers Market at Lodi Lake.

Interim Parks and Recreation Director Jim Rodems provided a brief report regarding the concept of a Farmers Market on Saturday mornings at Lodi Lake. Specific topics of discussion included conception by the Recreation Commission, implementation through staff, a pilot program for the summer and spring, high amount of foot traffic and limited parking, all events discussed and considered by the Recreation Commission, the lack of a specific policy in place for Lodi Lake events, and the potential of \$16,000 for revenues to Parks and Recreation.

In response to Council Member Hitchcock, Mr. Rodems stated the participation costs are \$100 for two days or \$65 for each day. He stated the \$16,000 was based on the target number of vendors of 18 to 24 and discussed the set up of a traditional farmers market, monitoring of natural goods, not allowing manufactured goods, approximately four vendors currently signed up, and general direction from the Recreation Commission without a formal vote.

A brief discussion occurred between Council Members Johnson and Hitchcock regarding the ongoing events at Lodi Lake and the use of the Lake generally for events and by the citizens. Council Member Johnson stated he may have some concerns about parking and the timing of the market on Saturday mornings if other events are going on as well.

Donna Phillips spoke in opposition to a farmers market at Lodi Lake based on her desire for natural preservation of the lake and suggested Bo Katzakian Park as an alternative site.

Recreation Commissioner David Akin spoke in favor of the proposed farmers market at Lodi Lake based on the addition of a nice event with natural goods in the community, possible revenue generation, and overall benefit to the community.

Recreation Commissioner Baubie Fox spoke in favor of the proposed farmers market based on the benefit to the community of an alternative market to the Thursday evening Downtown Market.

Council Member Johnson made a motion, second by Mayor Hansen, to authorize a Farmers Market to be held at Lodi Lake for a one-year period, with no more than 24 vendors, and no arts and crafts.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: Council Member Hitchcock

Absent: None

K-5 Select Two Council Members to Join with the City Clerk to Choose the City of Lodi Display in the New County Administration Building (CM)

Mayor Hansen made a motion, second by Council Member Johnson, to select Council Members Mounce and Hitchcock to join with the City Clerk to choose the City of Lodi display in the new County administration building.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

K-6 Accept Short-Range Transit Plan (PW)

City Manager King briefly introduced the subject matter of the short range transit plan.

Public Works Director Wally Sandelin provided a PowerPoint presentation regarding the short range transit plan. Specific topics of discussion included route recommendations, scheduled brochures, transit website, marketing program, and recommended adoption of plan.

In response to Council Member Mounce, Jeffrey Flynn of Nelson/Nygaard Consulting, confirmed that there is now a stop scheduled for the Lodi Avenue and Stockton Street location near Smart and Final.

In response to Council Member Mounce, Traffic Engineer Paula Fernandez stated the City does have Americans with Disabilities Act (ADA) paratransit which is the Vine Line, ADA paratransit works on a reservation system per federal guidelines and regulations, staff will continue to look into the double fare situation for same day service, the drivers and buses for services are the same, same day service does not take priority over reservation, and federal guidelines require separate names for the services.

In response to Council Member Mounce, Ms. Fernandez and the scheduling agent confirmed that reservations are priority, same day service is noted differently, pre-approved handicap cards are not required, and ADA certification would have priority if everyone could not be accommodated.

Council Member Mounce made a motion, second by Mayor Hansen, to accept the Short-Range Transit Plan.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Hitchcock, Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent: None

K-7 Approve Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$57,065.06) (CA)

Council Member Johnson made a motion, second by Mayor Hansen, to approve expenses incurred by outside counsel/consultants relative to the Environmental Abatement Program litigation and various other cases being handled by outside counsel in the amount of \$57,065.06, as further detailed in the staff report.

VOTE:

The above motion carried by the following vote:

Ayes: Council Member Johnson, Mayor Pro Tempore Katzakian, Council Member Mounce, and Mayor Hansen

Noes: Council Member Hitchcock

Absent: None

L. Ordinances - None

M. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 11:54 p.m., in memory of Surendra "Sunny" Patel, owner of Wine Country Inn and member of the Lodi Tourism Business Improvement District Advisory Board, who passed away on March 24.

ATTEST:

Randi Johl
City Clerk